IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLAGTE JURISDICTION

WRIT PETITION NO.3314 OF 2006.

Shetage Shivaji Mahadeo ... Petitioner
V/s
Secretary School Education
Department, Mantralaya,
Mumbai and others. .. Respondents

Mr. S.S. Pakle for the petitioner.
Mr. M.H. Solkar, AGP for the State
Mr. N.V. Bandiwadekar for respondent Nos.4 and 5.

CORAM : DR. D.Y. CHANDRACHUD, J.

DATE : 30TH JUNE, 2006.

p.c.

. The Management produced the roster before the School Tribunal. The roster shows that there was a backlog of one S.C. Post and one post was reserved for the N.T. category. In pursuance of the advertisement which showed that the post had been reserved, the petitioner who belongs to the open category applied and on two occasions his appointment was effected on a temporary basis pending the availability of candidates belong to the reserve category. That being the position, the petitioner cannot have any vested right to continue.

2. However, on behalf of the petitioner it has been submitted that in the event that there still exists a vacancy, the petitioner will apply and his application may be considered having due regard to the fact that he has worked in the past. On behalf of the Management it is stated that in the event that a vacancy is available in the open category for a candidate with a degree qualification the name of the petitioner for a fresh appointment will be duly considered having due regard to the fact that he has worked in the past. Statement accepted.

3. The Petition is dismissed.

(DR. D.Y. CHANDRACHUD, J.)